

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 519 – HB 568

March 27, 2017

SUMMARY OF ORIGINAL BILL: Enacts the *Tennessee Retail Pet Store Consumer Protection Act* to require retail pet stores, at the time of sale of a dog, to provide documentation containing specific information including, but not limited to, the purchaser's rights, description of the dog, and the date of sale of such dog. Authorizes the purchaser of a dog to request reimbursement of veterinarian costs from the retail pet store in an amount up to the purchase price of the dog within 14 days of purchase, if such dog has been determined to have a preexisting illness by the veterinarian. Authorizes disputes to be resolved by civil action.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (004326, 004572, 006001): Amendment 004326 deletes and replaces language in the original bill to exempt from the definition of a "retail pet store" flea markets and retail establishments that sell companion animals that are bred or raised on the establishments' premises, and to delete the provision that prohibited a retail pet store from selling, delivering, bartering, auctioning, brokering, giving away, or transferring a dog to a person under 18 years of age.

Amendment 004572 deletes and replaces language in the original bill to prohibit any county or municipality to adopt an ordinance, resolution, or promulgate rules to regulate any conduct in the area covered by this part, and to delete the provision that prohibited a political subdivision or agency from enacting or enforcing a law, ordinance, resolution, or regulation that regulates or prohibits any conduct in the area covered by this act.

Amendment 006001 deletes and replaces language in the bill as amended by amendments 004326 and 004572 to authorize a dog purchaser to exchange the dog for a new dog of equivalent value as determined by the retail pet store's asking price and reimbursement of any veterinary expenses incurred. Authorizes the purchaser to receive a full refund of the purchase price, reimbursement, or another dog of equivalent value if the dog has passed away. Requires that the total amount of return or replacement costs, veterinary expenses, and all costs incurred in medical care claimed for reimbursement shall not exceed 150 percent of such dogs purchase price. Authorizes all counties, municipalities, and local government agencies to retain ability to adopt and enforce ordinances, resolutions, and regulations pertaining to animal cruelty, animal welfare, animal protection, retail pet store zoning as long as they do not prohibit such store from selling companion animals.

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FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed bill as amended does not require any permits or licenses pertaining to pet stores.
- There will not be a significant increase in state or local expenditures associated with ensuring compliance with the requirements of the bill as amended, as no state or local agencies are tasked with ensuring such compliance.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These revenues and expenditures are estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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